

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HUNTER CHRISTIAN,

Petitioner,

v.

JEFFREY A. UTTECHT,

Respondent.

CASE NO. 20-5112 RJB-DWC

ORDER ADOPTING REPORT AND
RECOMMENDATION, STRIKING
MOTION AND DISMISSING CASE
WITHOUT PREJUDICE

THIS MATTER comes before the Court on the Report and Recommendation of U.S. Magistrate Judge David W. Christel (Dkt. 18) and the Petitioner's Second Motion Requesting Copy of All Documents (Dkt. 19). The Court has considered the Report and Recommendation, objections, if any, the motion and the remaining file.

For the reasons provided therein, the Report and Recommendation (Dkt. 18) should be adopted and the Petitioner's petition should be dismissed without prejudice for failure to exhaust state court remedies. All pending motions (Dkts. 7, 11, and 16), including the Petitioner's

1 Second Motion Requesting Copy of All Documents (Dkt. 19) should be stricken as moot. The
2 Petitioner should not be granted a certificate of appealability.

3 **IT IS SO ORDERED.**

4 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
5 to any party appearing *pro se* at said party's last known address.

6 Dated this 27th day of July, 2020.

7 

8 ROBERT J. BRYAN
9 United States District Judge